



Division of  
Enforcement

**COMMODITY FUTURES TRADING COMMISSION**

140 Broadway, 19th Floor  
New York, New York 10005  
Telephone: (646) 746-9700  
Facsimile: (646) 746-9940

David W. Oakland  
doakland@cftc.gov  
(646) 746-9769

February 14, 2018

**BY ECF AND MAIL**

The Honorable Jack B. Weinstein  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
New York, New York 11201

**Re: *Commodity Futures Trading Commission v. Patrick K. McDonnell and CabbageTech, Corp. d/b/a Coin Drop Markets*, No. 18-CV-00361 (JBW)(RLM)**

Dear Judge Weinstein:

I am an attorney in the Division of Enforcement of the Commodity Futures Trading Commission (the "Commission") and represent the Commission in the captioned matter.

We received this afternoon a letter dated February 12, 2018, from Defendant Patrick McDonnell addressed to the Court and styled Notice of Appearance that also included a statement regarding the ceasing of resolution efforts. Setting aside Defendant McDonnell's inaccurate description of our discussions, the Notice of Appearance was the first time that the Commission had heard that McDonnell was ceasing discussing a resolution.

Apart from the settlement discussions referenced by the Notice of Appearance, we write to inform Your Honor that pursuant to this Court's orders, *see* ECF Nos. 9, 10, 14, the Commission and McDonnell had agreed on February 9, 2018, that the Commission will serve and file its brief by February 27, 2018, and if they choose, Defendants would serve and file a response by March 2, 2018.

As of the last date of our discussions with McDonnell, it is our understanding that Defendant CabbageTech, Corp. d/b/a Coin Drop Markets has not retained counsel.

Respectfully submitted,

David W. Oakland

cc: Patrick K. McDonnell (by email)  
CabbageTech, Corp. (by email c/o Defendant McDonnell)  
Hon. Roanne L. Mann (by ECF only)